

the ingestion of sea water would serve some useful purpose, whereas the ingestion of sea water would serve no useful purpose. The entire labeling of the article was misleading since it failed to reveal the fact that the article would serve no useful purpose as a nutritional adjuvant and as a drug, except as to the added iodide contained therein, when consumed in accordance with the directions borne on the label of the article, which fact was material in view of the representations in the labeling.

DISPOSITION: Pleas of not guilty having been entered on behalf of the defendants, the case came on for trial before a jury on November 12, 1946. At the conclusion of the trial on November 15, 1946, the jury returned a verdict of not guilty.

2087. Misbranding of Colusa Natural Oil and Colusa Natural Oil Capsules. U. S. v. 122 Bottles of Colusa Natural Oil and 130 Boxes of Colusa Natural Oil Capsules, and 33 circulars (and 54 other seizure actions against Colusa Natural Oil and Colusa Natural Oil Capsules, and circulars). Default decrees of condemnation. Portion of product ordered delivered to the Food and Drug Administration; remainder ordered destroyed. (F. D. C. Nos. 14723, 14730, 14736, 14768, 14958, 14997, 15397, 15410, 15468, 15623, 15631, 15637, 15638, 15663, 15837 to 15839, incl., 15861, 15960 to 15962, incl., 15968, 15981, 15991, 15995, 16014 to 16016, incl., 16028 to 16030, incl., 16171, 16185, 16222, 16223, 16245, 16246, 16451, 16485, 16761, 16777, 16817, 16857, 16930, 16949, 17230, 17715, 17726, 17994, 18005, 18007, 18054, 18057, 18131, 19608. Sample Nos. 46989-F to 46991-F, incl., 70165-F, 70166-F, 79780-F, 88615-F, 88616-F, 88769-F to 88772-F, incl., 246-H, 247-H, 450-H, 451-H, 494-H, 653-H, 654-H, 1112-H, 1113-H, 1196-H, 2010-H, 2011-H, 2624-H, 2688-H, 2765-H, 3422-H, 3429-H, 3634-H, 4009-H, 4086-H, 4087-H, 4230-H, 4327-H, 4328-H, 4332-H to 4334-H, incl., 10009-H, 10010-H, 10044-H, 10045-H, 11122-H, 11149-H, 11254-H, 11255-H, 11514-H, 11515-H, 13785-H, 13786-H, 17209-H to 17212-H, incl., 17368-H, 17369-H, 18000-H, 18269-H, 18270-H, 18333-H, 18334-H, 18370-H, 18371-H, 18582-H, 18671-H, 18672-H, 19101-H, 19102-H, 19149-H, 19174-H, 20297-H, 20298-H, 20371-H, 20372-H, 21261-H, 21262-H, 21639-H, 21640-H, 22142-H, 22143-H, 22164-H, 22165-H, 22857-H, 22858-H, 22860-H, 22861-H, 23915-H, 26832-H, 26833-H, 27337-H to 27340-H, incl., 28948-H, 32941-H, 33648-H, 52403-H.)

LIBELS FILED: Between the dates of December 18, 1944, and April 12, 1946, 55 libels were filed in the appropriate Federal district courts.

ALLEGED SHIPMENT: The drugs were shipped between the approximate dates of January 25, 1944, and January 28, 1946, by the Colusa Remedy Co., from Los Angeles and Hollywood, Calif. The circulars, which were shipped in some instances with the drugs and in other instances before or after the shipment of the drugs, accompanied the drugs when they were introduced into, and while they were in, interstate commerce.

PRODUCT: 1,619 2-fluid ounce bottles and 331 4-fluid ounce bottles of *Colusa Natural Oil* and 967 100-capsule bottles or boxes and 526 200-capsule bottles or boxes of *Colusa Natural Oil Capsules*, and quantities of circulars headed, "Colusa Remedy Co. Field Headquarters Williams, California," at Denver and Lafayette, Colo.; Worcester and Holyoke, Mass.; Parkersburg, Harrisonburg, Grafton, and Beckley, W. Va.; De Kalb, Pekin, and Springfield, Ill.; Aberdeen, Wash.; Lancaster, Edgerton, Oshkosh, and Monroe, Wis.; Raleigh, Kannapolis, Charlotte, and High Point, N. C.; Rochester and New Ulm, Minn.; McCook, Nebr.; Des Moines and Dumont, Iowa; Atlantic City, N. J.; Minot, N. Dak.; Reading, Altoona, Allentown, Lancaster, Pottstown, and Uniontown, Pa.; Tallahassee, Fla.; Hot Springs, Ark.; Frederick, Md.; Joplin, Mo.; Great Falls, Mont.; Covington, Staunton, Lynchburg, and Harrisonburg, Va.; Pittsburg, Kans.; Auburn, Bangor, and Portland, Maine; Anniston, Ala.; Salem, Oreg.; Grand Rapids, Mich.; Norwalk, Ohio; Oklahoma City and Tulsa, Okla.; Muncie and Gary, Ind.; and Augusta, Ga. Examination of samples disclosed the composition of the products to be as stated.

LABEL, IN PART: "Natural Unrefined Petroleum Oil."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars, and pictures of a man's back, 2 hands, and a leg, before and after treatment, were false and misleading since they represented and suggested that the drugs would be efficacious in the treatment of psoriasis, eczema, leg ulcers, itch, and athlete's foot. When used alone, however, or in combination with each other, the articles would not be efficacious for such conditions.

DISPOSITION: Between the dates of June 12, 1945, and June 25, 1946, no claimant having appeared, judgments of condemnation were entered. One lot of the product was ordered delivered to the Food and Drug Administration for

clinical and experimental purposes, and the remainder of the product was ordered destroyed.

2088. Misbranding of estrogenic hormone. U. S. v. 196 Vials and 198 Vials of Estrogenic Hormone. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 16962, 17228. Sample Nos. 31338-H. 31359-H.)

LIBELS FILED: August 4 and 28, 1945, Southern District of California.

ALLEGED SHIPMENT: On various dates subsequent to January 1, 1945, by the Sherman Laboratories, from Detroit, Mich.

PRODUCT: 196 vials and 198 vials of *estrogenic hormone* at Los Angeles, Calif. Examination showed that the product was an oil solution of estrogenic material consisting essentially of estradiol with an insignificant proportion, if any, of estrone, which is the principal estrogenic hormone occurring in natural sources such as pregnant mares' urine.

LABEL, IN PART: "10 cc. [or "30 cc."] Size Sherman Estrogenic Hormone (in Peanut Oil) 10,000 International Units per cc."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements, "This Estrogenic Substance [or "Estrogenic Hormone"] is obtained from Pregnant Mares' Urine Consisting Principally of Estrone and Estradiol," were false and misleading since the estrogenic material present in the article did not consist of estrogenic substance as obtained from pregnant mares' urine.

DISPOSITION: March 11, 1946. The cases having been consolidated and removed to the Western District of Michigan, and the Sherman Laboratories, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be destroyed or to be brought into compliance with the law, under the supervision of the Federal Security Agency.

2089. Misbranding of Female Sex Hormone Estrogenic Ointment Cream. U. S. v. 11 Jars of Female Sex Hormone Estrogenic Ointment Cream. Default decree of condemnation and destruction. (F. D. C. No. 21350. Sample No. 35600-H.)

LIBEL FILED: October 28, 1946, Western District of Tennessee.

ALLEGED SHIPMENT: On or about September 12, 1946, by the Pan American Co., from Dallas, Tex.

PRODUCT: 11 jars of *Female Sex Hormone Estrogenic Ointment Cream* at Memphis, Tenn.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "For Breast Development" was false and misleading since the article was incapable of producing the result indicated; and, Section 502 (e), the article was composed of 2 or more ingredients, and its label failed to bear a statement of each active ingredient since the label statement "Female Sex Hormone Estrogenic Ointment Cream" was the name of a class of drugs, but was not the name of any particular drug.

DISPOSITION: December 11, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2090. Misbranding of Nef-Tex Tablets. U. S. v. 52 Packages of Nef-Tex Tablets. Default decree of condemnation and destruction. (F. D. C. No. 19203. Sample No. 5422-H.)

LIBEL FILED: February 12, 1946, District of Delaware.

ALLEGED SHIPMENT: On or about October 13 and November 10, 1945, by the Drexel Laboratories, from Drexel Hill, Pa.

PRODUCT: 52 packages of *Nef-Tex Tablets* at Wilmington, Del. Examination of this product showed that the tablets consisted essentially of oxyquinoline sulfate, methyl salicylate, and saccharin.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the carton and bottle label and in an accompanying circular entitled "Conquer those Skin Ailments" were false and misleading. These statements represented and suggested that the article would be effective as an antiseptic for the kidneys, stomach, and intestines; that it would be effective in the treatment of kidney disorders and stomach upsets; and that it would be effective for the